

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

BRIAN DAVID HILL,

Plaintiff,

v.

EXECUTIVE OFFICE FOR THE
UNITED STATES ATTORNEYS, AND
UNITED STATES DEPARTMENT OF
JUSTICE,

Defendants.

CASE NO. 4:17-CV-00027-JLK

DECLARATION OF CAROLYN LOYE

In accordance with 28 U.S.C. § 1746, I, Carolyn Loye, make the following declaration.

1. I was formerly employed by the United States Department of Justice at the United States Attorney's Office for the Middle District of North Carolina (USAO MDNC). I was a Legal Assistant and the Freedom of Information Act (FOIA) Liaison for that office. I was a legal assistant in the USAO MDNC from January 23, 2003 to November 2016 and the FOIA Liaison after January 2007 to November 2016. As FOIA Liaison for the office, I was responsible for, among other things, conducting FOIA searches for records within the USAO MDNC upon request of the Executive Office of United States Attorneys (EOUSA).

2. Upon request by EOUSA and in accordance with my FOIA training, I conducted the search for records in the possession of the USAO MDNC responsive to Mr. Brian Hill's July 25, 2016 FOIA request for certain records pertaining to him.

3. When I received a search request from EOUSA, I opened a paper file



where I documented how I received and processed the request. The statements contained in this declaration are based upon my personal knowledge, as documented in my file, information provided to me in my official capacity as FOIA Liaison for the USAO MDNC, and my training as FOIA Liaison.

4. On August 12, 2016, I received a request from EOUSA to conduct a search of the USAO MDNC for all records responsive to Mr. Hill's FOIA request dated July 25, 2016, which EOUSA attached and identified as FOIA Request No. 2016-03570.

5. After receiving the EOUSA request, I emailed all employees advising them of the FOIA request and asking them to search for any documents related to Mr. Hill. I also searched our office electronic recordkeeping system for any records related to Mr. Hill. That system contains all files opened in the USAO MDNC, including those that have been closed. I searched the system under the last name "Hill," with first name "Brian" as well as under last name "Hill" and first initial "B."

6. My search revealed two case files. The first case file number was 1:13-cr-00435 and the file contained documents related to the Plaintiff's prosecution for possession of child pornography. The second case file number was 15-4057 and the file contained documents related to Plaintiff's *pro se* appeal to the Fourth Circuit Court of Appeals.

7. I consulted with Anand Ramaswamy, the Assistant United States Attorney who handled the cases, and asked him for any records related to the cases in his

possession. He gave me the case files which I reviewed, and in accordance with my training, I separated out all non-public responsive records (public records would include, for example, those identified on the public docket of Case No. 1:13-cr-00435 in the Middle District of North Carolina and Case No. 15-4057 in the Fourth Circuit Court of Appeals). Also, in accordance with my training, I completed an EOUSA FOIA packet documenting the search process and results of my search, and I scanned and copied the packet onto a Compact Disk (CD) and mailed it to EOUSA for its review.

8. I declare under penalty of perjury that the foregoing is true and correct based upon reasonable inquiry, knowledge, information, and belief.

Executed this the 21st day of December 2017.



Carolyn Loyer
Former Legal Assistant/FOIA Liaison United
States Attorney's Office
Middle District of North Carolina